

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:15-CR-077-RJC-DCK**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	
)	
)	
DURAL SAMUELS,)	
)	
Defendant,)	
)	
and)	
)	
SNYDER'S LANCE, INC.,)	
)	
Garnishee.)	

ORDER OF CONTINUING GARNISHMENT

THIS MATTER IS BEFORE THE COURT on the Answer of Snyder's Lance, Inc., as the Garnishee (Document No. 219). Judgment in the criminal case was filed on July 13, 2016 (Document No. 149). As part of that Judgment, the Defendant was ordered to pay an assessment of \$200.00 and restitution of \$252,730.00 to the victim of the crime. Id.

On April 26, 2022, the Court entered a Writ of Continuing Garnishment (“Writ”) (Document No. 216) to the Garnishee, Snyder's Lance, Inc. The Garnishee was served with the Writ on April 29, 2022. The Defendant was served with the Writ and Instructions notifying him of his right to request a hearing on June 7, 2022. The Garnishee filed an Answer on May 23, 2022 (Document No. 219) stating that at the time of service of the Writ, the Garnishee had in its custody, control or possession property or funds owned by the Defendant, including non-exempt, disposable earnings. The Defendant did not request a hearing, and the statutory time to do so has elapsed.

IT IS, THEREFORE, ORDERED that an Order of Continuing Garnishment is hereby **ENTERED** in the amount of \$192,500.15 computed through April 26, 2022. The Garnishee shall pay the United States up to the lesser of (1) twenty-five percent of the Defendant's disposable earnings which remain after all deductions required by law have been withheld, or (2) the amount by which the Defendant's disposable earnings for each week exceed 30 times the federal minimum wage. See 15 U.S.C. § 1673(a). The Garnishee shall continue payments until the debt to the Plaintiff is paid in full, or until the Garnishee no longer has custody, possession or control of any property belonging to the Defendant, or until further Order of this Court.

Payments should be made payable to the United States Clerk of Court and mailed to:

Clerk of the United States District Court
401 West Trade Street
Charlotte, North Carolina 28202


In order to ensure that each payment is credited properly, the following should be included on each check: Court Number 3:15CR77-01.

IT IS FURTHER ORDERED that the Garnishee will advise this Court if the Defendant's employment is terminated at any time by the Garnishee or the Defendant.

The Plaintiff will submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment the Defendant would normally receive may be offset and applied to this debt.

SO ORDERED.

Signed: August 5, 2022



David C. Keesler
United States Magistrate Judge

